



PATENT
FI5028-US-CNT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : AUTHELIN ET AL. EXAMINER : JOYNES, ROBERT
SERIAL NO. : 09/871,876 ART UNIT : 1615
FILED : JUNE 1, 2001
FOR : MILLING PROCESS FOR THE PRODUCTION OF FINELY MILLED MEDICINAL SUBSTANCES

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

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Barrie D. Dean 1/21/04
(Signature and Date)

AMENDMENT AFTER FINAL UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
GROUP ART UNIT 1632

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JAN 27 2004

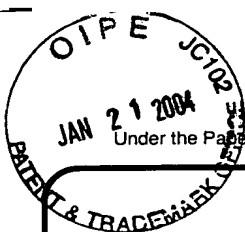
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Dear Sir:

In response to the Office Action dated July 24, 2003 and thus due for response on October 24, 2003, please consider the following remarks and amendments for purposes of allowance, or alternatively, to narrow the issues on appeal. Applicants concurrently file herewith the following documents:

- (1) a petition for three (3) months extension of time to and including January 24, 2004 in order to respond to the outstanding Office Action;
- (2) a Request for Continued Examination (RCE); and
- (3) a supplemental Information Disclosure Statement with Form 1449 and copies of 2 references.



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01-22-04

RCE11609
PTO/SB/30 (08-00)

Approved for use through 10/31/2001. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
for
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|-----------------------|------------------|
| Application Number | 09/871,876 |
| Filing Date | June 1, 2001 |
| First Named Inventor | AUTHELIN, ET AL. |
| Group Art Unit | 1615 |
| Examiner Name | JOYNES, ROBERT |
| Aventis Docket Number | FI5028-US-CNT |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr 11, 2000), which established RCE practice.

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1. Submission required under 37 C.F.R. § 1.114

JAN 27 2004

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered.)
 - II. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

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2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-1982
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

4. Correspondence Address: Customer No. 005487

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-------------------------------------|-----------------------------------|------------------|
| Name (Print/Type) | William C. Coppola, Reg. No. 41,686 | Registration No. (Attorney/Agent) | 41,686 |
| Signature | | Date | January 21, 2004 |

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| | | | |
|-------------------|--------------|------|---------|
| Name (Print/Type) | Bonnie Stein | Date | 1-21-04 |
| Signature | | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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